

1 SUPREME COURT OF THE STATE OF NEW YORK  
2 COUNTY OF WESTCHESTER : CIVIL TERM: PART 1800

3 -----X

4 ELIZABETH MARGRABE and ANTHONY J.  
5 RUSCIANO, III, as shareholders of  
6 RUSCIANO and SON, CORP., SECOR LANE  
7 CORP., and VINRUS CORP., suing in the  
right of RUSCIANO and SON, CORP.,  
SECOR LANE CORP., and subsidiaries,  
and VINRUS CORP., ELIZABETH MARGRABE  
and ANTHONY RUSCIANO, III, Individually,

8 Plaintiffs,

9 - against -

10 ANTHONY J. RUSCIANO, II, RUSCIANO and  
11 SON, CORP., VINRUS CORP., SECOR LANE  
12 CORP., and subsidiaries, PVE COMPANY  
13 JOINT VENTURE, PVE II CO., and  
TONGENE REALTY, COPANY and RUSCIANO  
ASSOCIATES, INC.

Index No.  
10032-01

14 Defendants,

15 -----X  
16 Westchester County Courthouse  
17 111 Dr. Martin Luther King Jr. Blvd.  
White Plains, New York 10601  
December 20, 2004

18 B E F O R E:

19 HON. W. DENIS DONOVAN,  
20 JUSTICE, SUPREME COURT

22 A P P E A R A N C E S are on next page.

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BETTY  
Margrabe  
testimony  
deposition  
#1

1                   REDIRECT-E. MARGRABE

2                   you.

3                   THE COURT:   If you want to give me  
4                   a memorandum, I will take it.

5                   MR. SEXTER:   You gave us the  
6                   permission to submit it on the last day of  
7                   testimony which we're prepared to do.

8                   THE COURT:   That will be around  
9                   April 1st.

10                  (Recess.)

11

12                  Certified to be a true and accurate  
13                  transcript.

14

15                  Certified to be a true and accurate  
16                  transcript.

17

18

*Susan Magee Gallagher*  
Susan Magee Gallagher,

19                  Senior Court Reporter.

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2 SUPREME COURT OF THE STATE OF NEW YORK  
3 COUNTY OF WESTCHESTER

4 -----X  
5 ELIZABETH MARGRABE and ANTHONY J. RUSCIANO,  
6 III, as shareholders of RUSCIANO AND SON,  
7 CORP., and VINRUS CORP., suing in the right  
8 of RUSCIANO and SON, CORP., SECOR LANE  
9 CORP., ELIZABETH MARGRABE and ANTHONY  
10 RUSCIANO, III, Individually,  
11 Plaintiff,

12 -against-

Index No.  
10032/01

13 ANTHONY J. RUSCIANO, II, RUSCIANO and SON,  
14 CORP., VINRUS CORP., SECOR LANE CORP., and  
15 subsidiaries, PVE COMPANY JOINT VENTURE, PVE  
16 II CO., and TONGENE REALTY, COMPANY and  
17 RUSCIANO ASSOCIATES, INC.,

18 Defendants.

19 -----X

20 Westchester County Courthouse  
21 111 Dr. Martin Luther King Blvd  
22 White Plains, NY 10601  
23 February 10, 2005

24 B E F O R E:

25 HON. W. DENIS DONOVAN,  
26 Supreme Court Justice

27 A P P E A R A N C E S:

28 HARRY D. LEWIS, ESQ. and  
29 GREENBERG & MASSARELLI, ESQS.  
30 Attorneys for Plaintiff  
31 BY: WILLIAM GREENBERG, ESQ.

*BETTY  
Margrabe  
Defendant  
Testimony*

32 SEXTER & WARMFLASH, P.C.  
33 Attorneys for Defendant  
34 BY: ALAN SEXTER, ESQ.  
35 Of Counsel.

36 SUSAN MAGEE GALLAGHER  
37 SENIOR COURT REPORTER

38

1                   REDIRECT-E. MARGRABE

2                   you.

3                   THE COURT:    If you want to give me  
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13                  transcript.

14

15                  Certified to be a true and accurate  
16                  transcript.

17

  
18 Susan Magee Gallagher,

19                  Senior Court Reporter.

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1 SUPREME COURT OF THE STATE OF NEW YORK  
2 COUNTY OF WESTCHESTER

3 ELIZABETH MARGRABE AND ANTHONY J. RUSCIANO, III,  
4 AS SHAREHOLDERS OF RUSCIANO & SON CORP., SECTOR  
5 LANE CORP. AND VINRUS CORP., SUING IN THE RIGHT  
OF RUSCIANO & SON CORP., SECTOR LANE CORP. AND  
SUBSIDIARIES, and VINRUS CORP., ELIZABETH MARGRABE  
AND ANTHONY RUSCIANO, III INDIVIDUALLY.

6 Plaintiffs,

7 Index No.  
8 10032/2001

9 -against-

10 ANTHONY J. RUSCIANO, II, RUSCIANO & SON CORP., VINRUS  
11 CORP., SECTOR LANE CORP., AND SUBSIDIARIES, PVE  
12 COMPANY JOINT VENTURE, PVE II CO., AND TONGENE  
13 REALTY, COMPANY AND RUSCIANO ASSOCIATES, INC.,

14 \*\* FEE DISPUTE \*\*

15 Defendants.

16 Westchester County Supreme Court  
17 111 Dr. Martin Luther King Jr., Blvd.  
18 White Plains, New York 10601  
19 April 1, 2005

20 B E F O R E:

21 HONORABLE W. DENIS DONOVAN, Judge.

22 A P P E A R A N C E S:

23 GREENBERG & MASSARELLI, LLP.

24 Attorney for the Plaintiff

25 BY: WILLIAM GREENBERG, ESQ.

26 2929 Purchase Street

27 Purchase, New York 10577

28 HARRY D. LEWIS, ESQ.

29 Attorney for Elizabeth Margrabe

30 1001 Avenue of the Americans

31 New York, New York 10018

32 SEXTA & WARMFLASH, P.C.

33 Attorney for Sexta and Warmflash

34 BY: ALLAN S. SEXTA, ESQ.

35 115 Broadway

36 New York, New York 10006

37 IVY V. STUCKEY  
38 SENIOR COURT REPORTER

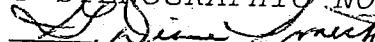
1 Page 65A

2 THE COURT: Thank you very much.  
3 End of everything?

4 (Proceedings concluded.)

5 \* \* \*

6 ACCURATE THE ABOVE IS CERTIFIED TO BE A TRUE AND  
7 TRANSLATION OF MY STENOGRAPHIC NOTES.

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G. Dianne Smith  
Senior Court Reporter

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2 SUPREME COURT OF THE STATE OF NEW YORK  
3 COUNTY OF WESTCHESTER: CIVIL TERM: WDD

4 -----X  
5 ELIZABETH MARGRABE AND  
6 ANTHONY J. RUSCIANO, III  
7 AS SHAREHOLDERS OF RUSCIANO & SON CORP.,  
8 SECOR LANE CORP. AND SUBSIDIARIES,  
9 AND VINRUS CORP., ELIZABETH MARGRABE  
10 AND ANTHONY RUSCIANO, III, INDIVIDUALLY,  
11 Plaintiff(s),  
12

13 -against-

14 Index No.  
15 10032/2001  
16 TM. OF MR. HALPERN

17 ANTHONY J. RUSCIANO, II,  
18 RUSCIANO & SON CORP., VINRUS CORP.,  
19 SECOR LANE CORP., AND SUBSIDIARIES,  
20 PVE COMPANY JOINT VENTURE,  
21 PVE II CO., AND TONGENE REALTY,  
22 COMPANY AND RUSCIANO ASSOCIATES, INC.,  
23

24 Defendant(s).  
25 -----X

111 Dr. Martin Luther King, Jr. Blvd.  
White Plains, New York 10601  
June 1, 2005

16 BEFORE: HONORABLE W. DENIS DONOVAN, JUSTICE

17 A P P E A R A N C E S :

18 FOR THE PLAINTIFF(S):

19 GREENBERG & MASSARELLI, LLP  
20 2929 Purchase Street  
Purchase, New York 10577

21 WILLIAM GREENBERG, Of Counsel

22 ALSO PRESENT: CRYSTAL M. MASSARELLI, Of Counsel

23 HARRY D. LEWIS, for Mr. Halpern  
24 Law/Consulting/Risk Management  
1001 Avenue of the Americas Fl. 11  
New York, NY 10018-5469

25 (APPEARANCES CONTINUED:)

*Halpern*  
*Halpern*  
*Levy*

1 Page 65A

2 THE COURT: Thank you very much.

3 End of everything?

4 (Proceedings concluded.)

5 \* \* \*

6 *THE ABOVE IS CERTIFIED TO BE A TRUE AND*  
*ACCURATE TRANSLATION OF MY STENOGRAPHIC NOTES.*

7 *G. Dianne Smith*  
*Senior Court Reporter*

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